

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**MICHAEL S. STRAUS, LAURENCE A.
STRAUS AND WILLIAM M. STRAUS,
Plaintiffs,**

CIVIL ACTION

v.

NO. 16-4117

**UNITED STATES POSTAL SERVICE,
Defendant.**

ORDER

AND NOW, this 7th day of November, 2017, upon consideration of Plaintiffs' Motion for Summary Judgment (ECF No. 23), Defendant's response (ECF No. 28), and Plaintiffs' reply thereto (ECF No. 35), and Defendant's Motion for Summary Judgment (ECF No. 24), Plaintiffs' response (ECF No. 29), and Defendant's reply thereto (ECF No. 33), **IT IS ORDERED**:

- a. Plaintiffs' Motion is **DENIED WITH PREJUDICE** except insofar as it seeks payment at fair market value rent from USPS as a holdover tenant from July 31, 2016, through the date of conveyance to USPS of the fee simple title to the leased premises, including the underlying land to which extent Plaintiffs' Motion is **GRANTED**. It is **ORDERED** that Plaintiffs shall propose the fair market value rent (with supporting documentation) to the Court no later than November 14, 2017, and Defendants shall file its response thereto by November 21, 2017;
- b. Defendant's Motion which seeks an order granting specific performance to convey the fee simple title to the leased premises, including the underlying land, in exchange for \$ 240,000, is **GRANTED**. It is **FURTHER ORDERED** that Plaintiffs shall file by November 14, 2017, any objections to the Defendant's proposed form of order (ECF No. 24-2).

BY THE COURT:

/S/WENDY BEETLESTONE, J.

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